

Union Calendar No. 216

105TH CONGRESS
1ST Session

H. R. 2626

[Report No. 105-372]

A BILL

To make clarifications to the Pilot Records
Improvement Act of 1996, and for other purposes.

OCTOBER 31, 1997

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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IN THE HOUSE OF REPRESENTATIVES

OCTOBER 7, 1997

Mr. DUNCAN (for himself, Mr. SHUSTER, Mr. OBERSTAR, and Mr. LIPINSKI)
introduced the following bill; which was referred to the Committee on
Transportation and Infrastructure

OCTOBER 31, 1997

Additional sponsors: Mr. SKEEN, Mrs. KELLY, Mr. KILDEE, Mr. LARGENT,
Mr. BOSWELL, Mr. FOX of Pennsylvania, Mr. DEFazio, Mr. HILL, Mr.
COSTELLO, and Ms. BROWN of Florida

OCTOBER 31, 1997

Reported with an amendment, committed to the Committee of the Whole
House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on October 7, 1997]

A BILL

To make clarifications to the Pilot Records Improvement
Act of 1996, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. RECORDS OF EMPLOYMENT OF PILOT APPLI-**
 2 **CANTS.**

3 *Section 44936(f) of title 49, United States Code, is*
 4 *amended—*

5 *(1) in paragraph (1) by striking “Before hiring*
 6 *an individual” and inserting “Subject to paragraph*
 7 *(14), before allowing an individual to begin service”;*

8 *(2) in paragraph (1)(B) by inserting “as a pilot*
 9 *of a civil or public aircraft” before “at any time”;*

10 *(3) in paragraph (4)—*

11 *(A) by inserting “and air carriers” after*
 12 *“Administrator”; and*

13 *(B) by striking “paragraph (1)(A)” and in-*
 14 *serting “paragraphs (1)(A) and (1)(B)”;*

15 *(4) in paragraph (5) by striking “this para-*
 16 *graph” and inserting “this subsection”;*

17 *(5) in paragraph (10)—*

18 *(A) by inserting “who is or has been” before*
 19 *“employed”; and*

20 *(B) by inserting “, but not later than 30*
 21 *days after the date” after “reasonable time”; and*

22 *(6) by adding at the end the following:*

23 *“(14) SPECIAL RULES WITH RESPECT TO CER-*
 24 *TAIN PILOTS.—*

25 *“(A) PILOTS OF CERTAIN SMALL AIR-*
 26 *CRAFT.—Notwithstanding paragraph (1), an air*

1 carrier, before receiving information requested
2 about an individual under paragraph (1), may
3 allow the individual to begin service for a period
4 not to exceed 90 days as a pilot of an aircraft
5 with a maximum payload capacity (as defined
6 in section 119.3 of title 14, Code of Federal Reg-
7 ulations) of 7,500 pounds or less, or a helicopter,
8 on a flight that is not a scheduled operation (as
9 defined in such section). Before the end of the 90-
10 day period, the air carrier shall obtain and
11 evaluate such information. The contract between
12 the carrier and the individual shall contain a
13 term that provides that the continuation of the
14 individual's employment, after the last day of
15 the 90-day period, depends on a satisfactory
16 evaluation.

17 “(B) *GOOD FAITH EXCEPTION.*—Notwith-
18 standing paragraph (1), an air carrier, without
19 obtaining information about an individual
20 under paragraph (1)(B) from an air carrier or
21 other person that no longer exists, may allow the
22 individual to begin service as a pilot if the air
23 carrier required to request the information has
24 made a documented good faith attempt to obtain
25 such information.”.